

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

**FILED**

JUL 25 2023

KENNETH TUROCZI and  
TYRENE TUROCZI,

CARMELITA REEDER SHINN, CLERK  
U.S. DIST. COURT. WESTERN DIS. OKLA.  
BY *KR* DEPUTY

Plaintiffs,

v.

Case No. CIV-23-00095-JD

TRAVELERS COMMERCIAL  
INSURANCE COMPANY,

Defendant.

Plaintiffs motion to comply

By Order dated July 25, 2023 [Doc. 33], Plaintiffs hereby request a motion to comply.

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## EXHIBITS:

Ex. 1 request for return of personal property sent via email

Ex. 2: Monday July 10<sup>th</sup> phone call requesting return of legal documents

Ex.3 Monday July 10<sup>th</sup> phone call requesting return of legal documents

Ex4 Monday July 10<sup>th</sup> phone call requesting return of legal documents

Ex1 is a written letter to Gary W Gardenhire sent via email date july 18<sup>th</sup> demanding the return of legal documentation. See exhibits 1 through 3 attached hereto. a transcription of a conversion between Turoczi and Gardenhire of attempted negotiation of unreturned legal documents. pertaining to Case No. CIV-23-00095-JD

COME NOW Plaintiffs Kenneth Turoczi and Tyrene Turoczi moves the court for the entry of an Order directing Gary W. Gardenhire to produce documents described in the request to produce which he has failed to produce

**I. INTRODUCTION** Gardenhire has been sent repeated requests to produce Plaintiff's complete TRAVELERS COMMERCIAL INSURANCE COMPANY, documents, photos recordings all files not excluding any assets pertaining to Case No. CIV-23-00095-JD. See exhibit 1 attached hereto Despite the passage of 30 days, there were repeated attempts to negotiate" · "despite repeated requests, Gardenhire refused to return any documents neither gave a satisfactory answer. Gardenhire denied the return of all documents, which is an ethics violation not to return client documents. see exhibits 2 and 4 attached hereto. **I. NATURE OF THE ACTION.** Amended by order of the Supreme Court, 2007 OK 22; effective 1/1/2008 Okla. Stat. tit. 5A § 8.4 Rule 8.4 - Misconduct [1] Lawyers are subject to discipline when they violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so or do so through the acts of another, as when they request or instruct an agent to do so on the lawyer's behalf. Paragraph (a), however, does not prohibit a lawyer from advising a client concerning action the client is legally entitled to take. Harassment by lawyers in violation of paragraph (g) undermines confidence in the legal profession and the legal system. Such discrimination includes harmful verbal or physical conduct that manifests bias or prejudice towards others. Harassment includes harassment and derogatory or demeaning verbal or physical conduct. other unwelcome verbal or physical conduct of a nature. The substantive law of antidiscrimination and anti-harassment statutes.

III. CONCLUSION. Gardenhire's harassment included derogatory and demeaning verbal, physical, mental harassment. Gardenhire has intentionally hampered the Plaintiffs' ability to locate and retain new counsel. Plaintiffs request for relief from the court in this motion to comply. Respectfully submitted,



Kenneth Turoczi, pro se Plaintiff

7-25-2023

Tyrene Turoczi, pro se Plaintiff

14825 SE 119<sup>th</sup>  
Newalla, Okla  
74857

Pro Se Litigant's Certificate of Service

X I hereby certify that on the 25 day of July 2023, I filed the attached document with the Clerk of Court. Based on the records currently on file in this case, the Clerk of Court will transmit a Notice of Electronic Filing to those registered participants of the Electronic Case Filing System.

Kenneth Turoczi

Kenneth Turoczi, pro se Plaintiff

 7-25-2023

Tyrene Turoczi, pro se Plaintiff